

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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PAUL D. CEGLIA,

Plaintiff,

v.

ORDER  
10-CV-569A

MARK ELLIOT ZUCKERBERG and  
FACEBOOK, INC.,

Defendants.

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This case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1). On July 25, 2011, plaintiff filed a motion to compel compliance with a prior Order of Magistrate Judge Foschio dated July 1, 2011. On August 4, 2011, defendants filed a cross-motion to compel compliance with the same Order.

On August 18, 2011, Magistrate Judge Foschio filed a Decision and Order denying plaintiff's motion to compel and granting in part and denying in part the defendants' cross-motion to compel. On September 1, 2011, the plaintiff filed an objection to the Magistrate Judge's Decision and Order. The defendants filed a response thereto on September 12, 2011.

Pursuant to 28 U.S.C. § 636(b)(1)(A), the district court "may reconsider any pretrial matter under this [section] where it has been shown that the magistrate's order is clearly erroneous or contrary to law."

The Court has reviewed the plaintiff's objection to Magistrate Judge Foschio's Decision and Order. Upon such review, the Court finds that Magistrate Judge Foschio's Decision and Order is neither clearly erroneous nor contrary to law.

Accordingly, the Court affirms the Decision and Order and refers this case back to Magistrate Judge Foschio for further proceedings.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: September 16, 2011